

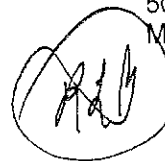


U.S. Department
of Transportation
**Federal Highway
Administration**

Alabama Division

December 9, 2008

500 Eastern Blvd., Suite 200
Montgomery, AL 36117-2018



Mr. D. J. McInnes
Director
Alabama Department of Transportation
Montgomery, Alabama

In Reply Refer To:
HDA-AL

Subject: Birmingham Northern Beltline (BNB)
PM_{2.5} Hot-Spot Conformity Determination

According to 40 CFR 93.123(b)(2) and (4), a quantitative analysis for applicable projects is not required until EPA releases modeling guidance in the Federal Register. However, a qualitative hot-spot analysis is required in order to assess whether the project will cause or contribute to any new localized PM_{2.5} violations, increase the frequency or severity of any existing violations, or delay timely attainment of the PM_{2.5} NAAQS. Based on the analysis described in the final PM_{2.5} Project-Level Conformity Analysis, it was determined that this project meets all the project-level conformity requirements, and that the project will not cause or contribute to a new violation of the PM_{2.5} NAAQS, or increase the frequency or severity of a violation. This decision was reached on November 3, 2008, through interagency consultation, which included EPA, FHWA, FTA, the Alabama Department of Environmental Management (ADEM), the Alabama Department of Transportation (ALDOT), the Birmingham Metropolitan Planning Organization (MPO), the Birmingham-Jefferson County Transit Authority (BJCTA), and the Jefferson County Department of Health (JCDH). The completed PM_{2.5} Hot-Spot Checklist, the final PM_{2.5} Project-Level Conformity Analysis, and Public Comment Summary are included with the documentation.

This conformity determination meets all of the applicable Clean Air Act Section 176(c) requirements for federally-funded or approved transportation projects. Specifically, the requirements for PM hot-spot analysis are codified at 40 CFR 93.116 and 93.123. By meeting these regulatory requirements as well as other requirements in the conformity regulations, this conformity determination demonstrates compliance with the requirements of CAA Section 176(c)(1)(A) and (c)(1)(B).

If you have any questions, please contact Dave Harris at 334.223.7830.

Sincerely yours,

Mark D. Bartlett, P. E.
Division Administrator

cc:
Mr. Robert Jilla, ALDOT
US EPA
Birmingham MPO

FTA
BJCTA

ADEM
JCDH

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